

REMARKS

Claims 1-3 are rejected under §102(b) over Hashirayama '012. This rejection is respectfully traversed as to claim 3; the rejection is moot as to claim 1, which now incorporates the subject matter of claim 3.

Air Gap. The Applicant describes at page 4, third full paragraph, the importance of the gap S between the cylinder 11 and the guide member 4. This gap allows air to reach the sides of the cylinder 11 to cool the working fluid within. The Applicant welds the guide member to the upper portion of the cylinder where heat effects and welding deformation have no bad effects (specification spanning pages 4-5), and this keeps the guide member 4 in position to maintain the gap S.

Hashirayama. Hashirayama discloses a cap 44 that is “fixedly forced” over the end of the damper tube 11 (col. 3, line 42); that is, it is held on only by friction. Unlike the Applicant’s weld, Hashirayama’s friction fit does not prevent the cap 44 from coming off, nor does it prevent cocking of the cap 44 on the

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damper tube 11. .

When Hashirayama's cap 44 becomes cocked, the air gap between the damper tube and the cap is reduced on one side, so that cooling air is restricted from reaching one side of the damper tube, reducing the cooling effect.

Also, to stabilize the cap Hashirayama must provide a lower contact zone (see reference numeral 73 in Fig. 3), which shortens the length of the air gap and decreases cooling of the working fluid

The Rejection. The Examiner points to col. 6, lines 44-48 of Hashirayama. With respect, the Applicant's claim is not anticipated there. In that passage, Hashirayama mentions welding to fix the spring seat 14 to the cap 44. It is only in the preceding paragraph (2) at col. 6, lines 28-32, that Hashirayama discusses fastening the cap to the damper tube; and in that paragraph (2), Hashirayama does not mention welding. There is no disclosure of welding the cap to the damper tube, as the Applicant claims.

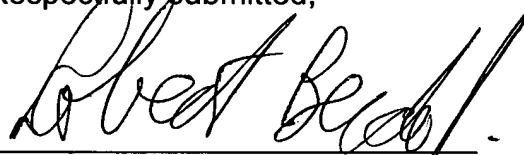
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Based on the above, it is submitted that this application is in condition for allowance and such a Notice, with allowed claims 1-2, earnestly is solicited.

If the Examiner believes that a conference would be of value in expediting the prosecution of this application, the Examiner is hereby invited to telephone the undersigned counsel to arrange for such a conference. Should any fee be required, please charge the same to our Deposit Account No. 18-0002 and advise us accordingly.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert Berdo, Jr.", written over a horizontal line.

Robert H. Berdo, Jr. (Reg. No. 38,075)

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Date

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